EXHIBIT 2

TESTIMONY OF NATHAN BROWN FROM FIRST TRIAL

09:05

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF TEXAS

DALLAS DIVISION

UNITED STATES OF AMERICA (NUMBER 3: 04-240-G
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HOLY LAND FOUNDATION, ET AL. (September 10, 2007

VOLUME 27
TRANSCRIPT OF THE TRIAL
BEFORE THE HONORABLE A. JOE FISH

09:05

A P P E A R A N C E S:

For the Government:

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09:16

DIRECT EXAMINATION

BY MR. DRATEL:

Q Good morning. Would you state your name, please.

A Nathan Brown.

Q How are you employed?

A I'm a Professor of Political Science and International Affairs at George Washington University.

Q And how long have you been in that position?

A Since 1999.

Q Do you have any other positions at George Washington University?

A I Director of the Middle East Studies Program and the Institute for Middle East Studies.

09:16

Q And how long have you been in that position?

A The Director of Middle East Studies off and on since the early 1990's and the Institute for Middle East Studies is just beginning operation this month.

Q Do you have any other positions outside of the George Washington position?

A Yes, I'm a senior associate for Carnegie Endowment for International Peace in Washington.

Q And how long have you been there?

A I began in January 2005 to 2006. I was full time, and then I returned to the university.

09:17

Q What is involved there?

A The Carnegie Institute for International Peace is a think thank that focuses on international issues. I was a member of the Middle East program for two years, 2005 to 2006. In 2007, I returned to George Washington, but became in affiliation with the endowment.

Q And George Washington is where?

A In Washington, D.C.

Q And are you involved with the Elliot School at all?

A Yes, the Elliot School of International Affairs is of the part George Washington University that focuses on International Affairs.

Q Have you ever had held any positions at the school?

09:18

A Yes, I was the associate dean of the Elliot School for two terms, from 1992 to 1994 and 1996 to 1999.

Q And is there any particular distinction with respect to the Elliot School?

A It's -- We like to think of it as one of the leading schools of international affairs in the country.

Q And have you ever -- any other positions that you had with respect to Middle East Institute?

A Yes, the Middle East Institute is another Washington think tank, and I was a resident scholar there

09:19 in 2000 and 2001.

Q Give us your educational background starting with college.

A I was an undergrad at the University of Chicago and received a bachelor's degree there in 1980. I went to graduate school at Princeton in studying political science and Near Eastern studies, receiving a masters in 1983 and a doctorate in 1987. I took one year off for an intensive language program in Cairo at the Center for Arab Studies abroad.

Q And what language did you study?

A Arabic.

Q And can you speak and read Arabic?

A Yes.

09:20 Q Look in your book at Defendant's Exhibit 908, the first tab in the book. Do you recognize that document?

A Yes.

Q And what is it?

A It's my curriculum vitae.

MR. DRATEL: I move it into evidence, your Honor.

THE COURT: Any objection?

MR. JONAS: No objection, your Honor.

THE COURT: Defendant's Exhibit 908 is

09:20 admitted.

MR. DRATEL: Your Honor, for the purposes of moving this along, because it's in evidence may I do a little leading with respect to some of the items in the CV?

THE COURT: Yes, sir.

BY MR. DRATEL:

Q Now, with respect to some of your experience, you were an observer in the Palestinian elections in January of 2006?

A Yes.

Q Can you describe what your position was in that regard?

A The National Democratic Institute, which is an 09:20 American organization, put together a delegation as part of a large international team that was observing the Palestinian legislative elections, and our job was simply to go around on election day and see whether or not voting was proceeding in accordance with the approved legal procedures.

Q And where did you observe?

A In the City of Nablus.

Q And were the elections declared clean and ordinary?

A Yes.

09:21

Q And who is the head of that National Democratic Institute?

A The head I believe is Madeliene Albright.

Q Are there other persons involved in that?

A The National Democratic Institute delegation was coordinated with the Carter Center. So the head of the delegation was Jimmy Carter.

Q The former president?

A Yes.

Q And have you been involved in committees drafting constitutions?

A I have been involved with international advisory committees that provide guidance to the people who are doing the actual drafting.

09:22

Q And which two occurrences?

A For the Palestinian Constitution. It was a document that was never approved, but it was drafted. And for the Iraqi constitution that was approved a couple of years ago.

Q And who chose you to be involved in the Palestinian Authority Constitutional Drafting Advisory Committee?

A It was the chairman of that committee, Nabil Shaf, who was a Palestinian Authority Minister.

Q And what party did he belong to?

09:22

A He's a leader of the Fatah Party.

Q Are you consulted by U.S. intelligence and defense personnel institutions?

A Periodically, yes.

Q Can you describe that?

A It's generally done on an ad hoc basis. There would be a seminar or a meeting or a discussion in Washington. They will invite academics and other experts to discuss a topic, and I generally go, fitting with my expertise and my schedule.

Q What subject matters do you cover?

A Most recently the Islamists politics. I have also consulted on Palestinian politics, Egyptian politics and Iraqi politics.

09:23

Q Have you been a consultant for the United Nations Association on Governance in the Arab World?

A The United Nations Association for Governance in the Arabic World, yes.

Q And what year are you referring to, 2001 to 2004?

A Yes.

Q And you have been a consultant to the United States Agency for International Development on the Rule of Law?

A That's correct. That was in the early 1990's.

09:24
Q And that would be USAID?
A Exactly.
Q Have you been involved in training Egyptian -- or training programs for Egyptian Foreign Service Officers in the United States?
A Yes.
Q And also were you involved in training or in -- in advising or presenting to the Egyptian Supreme Court Justices?
A Yes, we had a program that we ran through the university and which linked together Egyptian Supreme Court Constitutional Judges with members of the U.S. Federal Judiciary, a judicial exchange program.
Q What was the purpose of that program?
09:25
A To familiarize the judiciaries in both countries with the workings of each other's system.
Q Do you know who funded that?
A The United States Information Agency.
Q And that's a government agency?
A Yes, it's part of the State Department.
Q Do you receive grants for fellowships during the course of your career?
A Yes.
Q And you got one from the Institute for Peace?
A I have received three grants from the United

09:25 States Institute of Peace.

Q And can you explain what the United States Institute for Peace is?

A Yes, it's a government body that was established in the 1980's in order to fund research on international peace and conflict studies.

Q And is one of the grants that you received, "Islamists in Parliament: The Affect of Parlimentary Participation on Islamist Political Movements in the Arab World"?

A Yes, that's my current work.

Q And did you also have a fellowship, "Security and Governance in the Context of Oslo"?

A Yes.

09:26 Q And that was also from the United States Institute for Peace?

A Yes.

Q And have you received Fulbright grants?

A I have received three Fulbright grants.

Q Can you explain what a Fulbright grant is?

A There are different categories of Fulbright grants. The first one I received was through the Department of Education, and that was to conduct my doctoral research and do work in Egypt. The second two were research -- The second was a research grant to do

09:26 work on legal systems in Egypt and the States of the Gulf. And the third was a grant to do teaching at Ben Gurion University in Israel and to do research on Palestinian society politics.

Q And what years were those?

A 1999 to 2000.

Q Have you written books?

A Yes.

Q How many?

A Four books.

Q And have they all been peer reviewed?

A Yes.

Q And can you describe what a peer review is?

A Certainly. When an academic publisher decides
09:27 whether or not to publish a work, a book or an article, they would send it out to experts in the field. It's generally done anonymously so that I will not know who those people are so that they can comment freely. And the editor will make a decision whether or not to publish based upon the advice of those anonymous reviewers.

Q And what's your most recent book?

A "Palestinian Politics after the Oslo Accords."

Q And who published that?

A California -- University of California Press.

Q And your other three books are on politics in

09:28 Arab society generally?

A Yes.

Q And who published those?

A My first book was published by Yale University Press. My second, by Cambridge University Press. And my third, by the State University of New York Press.

Q And have you written scholarly articles in scholarly journals on the subject matter of Palestinian politics and institutions?

A Yes.

Q Have you also written on the Muslim Brotherhood?

A My current work is on the Muslim Brotherhood, and I'm currently writing on it.

Q And have you written articles about the Muslim Brotherhood -- not for publication but generally?

09:28

A Oh, yes, for the Carnegie Foundation of Endowment I have written articles.

Q And has your work appeared in newspapers as well as publications?

A Yes, I have written some op ed pieces for the press.

Q And some in the Arabic press?

A Yes.

Q And some in the Israeli press?

A Yes.

09:29

Q And you have presented academic forums and papers and oral presentations?

A Yes.

Q And those include aspects of Palestinian society?

A Yes.

Q Palestinian government?

A Yes.

Q And Palestinian institutions?

A Yes.

Q Does that include Zakat Committees?

A Yes.

Q And other nongovernmental institutions?

A Yes.

09:29

Q Does one include Associational Life under the Palestinian Authority?

A Yes.

Q And that was at the Middle East Studies Association meeting in 2001?

A Yes.

Q And Palestinian NGO's at the Middle East Institute in Washington in 2001?

A Yes.

Q Palestinian Civil Society in Theory and Practice at the annual meeting of the Structure of Government

09:30 Section, International Political Science Association, May 2003?

A Yes.

Q The Achievements of the Palestinian Authority, Historical Appraisal?

A Yes.

Q In December of 2006?

A At Tel Aviv University.

Q In Israel?

A Yes.

Q Now, have you spoken at a wide range of organizations?

A Yes.

Q And have you spoken at the American Institute -- 09:30 the American-Israeli Public Affairs Committee, APAC?

A Yes, they run an annual event for the college students, and I speak to them, yes.

Q Have you spoken at synagogues and other Jewish organizations?

A Yes.

Q I want to talk to you about your research and work on the nature of Palestinian society and Zakat Committees. Did you live in Israel?

A Yes.

Q And tell us what time period, please.

09:31
A I lived in Tel Aviv from June of 1999 until -- the beginning of June 1999 until the end of July of 2000.
Q And did you live there with your family?
A Yes.
Q And had you been there before?
A Yes.
Q And how often do you go back since?
A Probably twice a year. Sometimes three or four times a year.
Q And have you also been elsewhere in the Middle East?
A Yes.
Q And during your time period when you lived in Israel, did you visit Zakat Committees?
09:32
A Yes.
Q And which Zakat Committees did you visit?
A I visited the Zakat Committee in Ramallah and one in Jerusalem.
Q And did you speak with people about Zakat Committees?
A Yes.
Q Can you tell us what types of people you spoke to?
A Basically the directors of the organization.
Q And other people, did you speak to people

09:32 outside of the Middle East?

A I spoke to NGO activists, Palestinian intellectuals, activists, that sort of thing.

Q Did you speak to anyone in the Palestinian Authority?

A Yes.

Q And did these people include people who were connected to HAMAS?

A Yes, I have spoken with people connected with HAMAS.

Q And people not connected with HAMAS?

A Yes.

Q Do you rely on public sources for your research?

A Yes.

09:33 Q Please explain.

A When I was doing research for the body of the book which was published in 2003, I would review all three Palestinian major newspapers on a daily basis that were published on the web. So I would read every one every day to look for articles connected with my research. I began in 1998 and ended in about 2003. I continued to read the Palestinian press on the same basis, but not with the same level of intensity.

Q Which book are you referring to?

A "Palestinian Politics After the Oslo Accords."

09:33

Q That includes material on Zakat Committees?

A Yes.

Q Is there a chapter on Palestinian Civil Society specifically?

A Yes.

Q And your work on Zakat Committees is included within that?

A Yes.

Q And just in general, what is your practice with respect to use of public sources such as newspapers and media?

A Well, public sources are absolutely invaluable because they have a lot of the public record, what these institutions are, whose involved in them. And so on.

09:34

They are imperfect sources. You have to read them critically. They will sometimes have a little bit of a political edge. The three Palestinian dailies for instance are closely Allied with Fatah, the governing party, and therefore, you have to be careful with the information you get, but an irreplaceable source.

Q And would you rely on them exclusively without corroboration from other sources?

A No.

Q Let's talk about the breath of the scholarships on Palestinian institutions. Can you tell us what exists

09:34 in that regard?

A There are a variety of academics, sociologists, anthropologists, who have studied Palestinian society. They are both western academics and Palestinian academics.

Q Is the scholarship only in English?

A No, there is a considerable body of scholarship in Arabic.

Q And how would you characterize that particular body of scholarship in detail?

A It tends to be more knowledgeable. People with good knowledge of the local society. Extremely helpful. I could not do the research that I do without consulting that work.

Q And how would you characterize the ability to

09:35 speak and read Arabic in the context of your research and work?

A Absolutely critical. There is simply some areas where there is little documentation or record in English.

Q I want to talk about terminology. Civil society, how would you define that?

A Civil society would be those sorts of organizations that -- a way a society organizes itself outside the state or the government.

Q And NGO's?

A NGO's, nongovernmental organizations, would be a

09:36 critical part of civil society; therefore, organizations that are independent and not run by government.

Q And just so that we're clear, the Palestinian National Authority, could you just define that for us?

A Yes, under the Oslo Accords between Israel and the Palestinian leadership, the Palestine Liberation Organization, a new governmental body was set up to run Palestinian affairs in the West Bank and Gaza, and that was referred to as the Palestinian Authority or the Palestinian National Authority.

Q So when we refer to the PA it's also the PNA. They are interchangeable?

A Yes.

Q And also with respect to Zakat Committees, have
09:36 you written on it outside of your book in other contexts, in other parts of your work?

A In some academic papers, yes.

MR. DRATEL: Your Honor, I would move to qualify Mr. Brown as an expert on Palestinian civil institutions including Zakat Committees.

THE COURT: Any objection?

MR. GARRETT: No objection, your Honor.

THE COURT: Ladies and Gentlemen, I am going to recognize Dr. Brown as an expert on the area of Palestinian civil institutions. Bear in mind, as I told

09:37 you earlier, this simply means that I believe he has the credentials and qualifications that may assist you in determining facts in issue in this case, and thus, unlike many of our other witnesses he is able to express opinions rather than simply telling us about facts that he has personally observed. However, it is still up to you with respect to Dr. Brown's testimony to decide how much you believe of what he has to say just as is true with every other witness. Go ahead, Mr. Dratel.

MR. DRATEL: Thank you, your Honor.

BY MR. DRATEL:

Q I want to define some terms before we move along. Zakat, is that an Arabic word?

A Yes, it's an Arabic word. It essentially means
09:38 alms. It's a religious obligation to give a percentage of what you have, usually about two and a half percent, to help poor widows, orphans, charitable causes.

Q And do you know where it derives from, this religious obligation?

A I derives directly from the Quran.

Q But Quranic memorization, do you know the importance of that in the context of the Islamic tradition?

A Yes, according to the tradition in Islam, the Quran is literally the Word of God. So the precise words

09:39 in memorizing, knowing the precise words, has a particular religious significance.

Q And in the context -- You mentioned orphans, does that have a religious significance as well?

A Oh, certainly. I mean there is a very strong injunction to help the poor, orphans specifically, and Muslims will often mention that the founder of the religion, their prophet, Mohammed, was himself an orphan.

Q Do you know how orphans are defined in Islam?

A I understand -- My greatest area of expertise not Islamic law. From what I understand an orphan is someone who does not have essentially a father to provide for him. It's a religious obligation for the father to provide for the family. If you do not have one, you are

09:40 an orphan.

Q And another term, "Islamists," how would you define Islamists?

A It's a difficult term to define because there is no standard definition, but I think the one that I use and the one that is most used among scholars is that it is a person or an individual movement that is dedicated to increasing the role of Islam or Islamic law in public or private life.

Q And would you describe Islamists as radical fundamentalists?

09:40
A No.
Q Are all Islamists members of HAMAS?
A No.
Q And are all Islamists terrorists?
A No.
Q Are you familiar with the term "Islamists Bloc"?
A Yes.
Q And can you explain what that is?
A There are a variety of Islamists political parties in the Palestinian context, and there are some independents who do not belong to any of these parties but still belong to what they might call the Islamic tendency in the society, and sometimes they will try to coordinate activities, say, in student associations and those sorts of things, and they will refer to themselves sometimes as a bloc.
09:41
Q And is that broader than HAMAS?
A Yes.
Q And is it broader than just terrorist organizations?
A Yes.
Q The term "brother" in the context of the Palestinian society, would you define that for us or tell us how it is used?
A It's used different ways. Sometimes it can be a

09:41 polite word to refer to another person. You will say the brother wants a drink of water. So you could use that. Sometimes it has a more specific meaning as a member of the Muslim Brotherhood.

Q And are you familiar with the term "Zionist"?

A Yes.

Q What's the origins of that term?

A It goes back to the 19th Century Europe. It was a movement of Jews in 19th Century Europe who believed that Jews should have their own state in Palestine.

Q Was it a self-identifying term used by the people who believed that?

A Oh, yes.

Q I want to turn to Judea and Sumaria.

09:42 A Yes.

Q And can you tell us what the historical meaning and context is?

A They refer to territories in what would now be referred to as Israel and Palestine, specifically on the northern and southern parts of the West Bank.

Q And are there implications for Palestinians with respect to those terms?

A They are essentially Jewish religious terms so that they sound -- have a particular political meaning. They refer to them as Jewish areas or Israeli areas rather

09:43 than Palestinian areas.

Q Is that context and that terminology familiar to people who live in Israel?

A Yes.

Q Are you familiar with the terms inside and outside in the Palestinian context?

A Yes.

Q And is that a code of any type?

A No. Usage sometimes shifts a little bit. But it's absolute routine conversational usage, in the press and everywhere.

Q Can you tell us what you mean by shift?

A The term inside can sometimes mean inside the former Palestinian borders. So those inside could be 09:43 living in Israel. If you are outside of that area, here -- And we're talking about the Palestinians inside or if the Palestinians refer to Palestinians inside -- they could mean those in the West Bank and Gaza as opposed those who are outside Palestine.

Q And the term "martyr." Are you familiar with the term "martyr" as it's used in the Palestinian context?

A Yes.

Q And how is it used?

A A martyr is somebody who has died or been killed generally in a political context; that is, for a national

09:44 religious cause. It can be used in a more polite way to refer to someone who's has died in an automobile accident, for example.

Q Turn in your book to 263. It's about midway through the book.

A Yes, go ahead.

Q Do you see where it says Al Muktrbeen (phonetic) school?

A Yes.

Q And do you know what that word means, Muktrbeen?

A Yes, it means sort of westernizing.

Q Westernizing?

A Westernizing, I think.

Q It would be a westernizing school?

09:45 A There is a place name associated with it. Bier Nabala which is a village near Jerusalem. So I suspect it means in the literal sense of westernizing rather than the geographic sense.

Q And if you could turn to Defense Exhibit 1208, please. Do you recognize that?

A It looks like a telephone key pad.

Q What's on the telephone key pad?

A The left numeral is the Arabic numeral, and the right is the western numeral.

Q And it's corresponding to 1 through 9 and 0 as

09:46 well?

A Yes.

Q And that accurately depicts the corresponding numbers?

A Exactly.

MR. DRATEL: I move it in evidence.

MR. GARRETT: Your Honor, I haven't seen it. It's not on the list they provided me.

No objection, your Honor.

THE COURT: Defendant's Exhibit 1208 is admitted.

BY MR. DRATEL:

Q If you could define Zakat Committee, just basically, and then we'll get into it in more detail.

09:47 A In the Palestinian --

Q Yes.

A The zakat, as I said earlier, is a general religious obligation to pay alms. You can do it any way. There are within the context of Palestinian society governmentally chartered bodies that will collect and disburse zakat funds if you choose to give through them.

Q And can you tell us about the origins or the genesis of Zakat Committees in the Palestinian context?

A Yes, I'm familiar with the West Bank. I'm less familiar with Gaza. But zakat, as I say, is a religious

09:48 obligation, but it can be done through any number of ways, informal ways of collecting and disbursing of zakat by prominent individuals were used. In the 1970's, I believe there began to be efforts to formalize these, and they established formal Zakat Committees in all major Palestinian cities and town.

Q Do you know what the term "waqf" means, w-a-q-f?

A The literal translation would be endowment, and it could be any endowment. It's generally used for religious or charitable purposes. In the Palestinian context, it also refers to a religious establishment. When the British mandate came in and ruled the country after World War I, they recognized all the collective Islamic institutions in the country as belonging to a 09:49 single body which they called a waqf.

Q Does Ramadan have any particular significance with respect to the concept of zakat?

A Yes, Ramadan is a month according to the Islamic calendar, and it's a time of fasting, great religious observance and greater religious consciousness in people. So it's very often a time at which people look to honor their zakat obligations.

Q And how would you describe the relationship between these Zakat Committees that you talked about and the Palestinian Authority or the government previous

09:50 before that that controlled the -- well, with the Palestinian Authority let's say.

A They predated the Palestinian Authority. When the Palestinian Authority came in, they licensed or chartered or obviously recognized these organizations.

Q So how would you characterize them?

A I would call them quasi-official.

Q And how were they chartered? By what institution are they chartered?

A By the Ministry of Waqf or Religious Affairs.

Q And that would be part of the Palestinian Authority?

A Yes.

Q And is there a particular part of the Ministry 09:50 of Waqf that oversees Zakat Committees?

A They establish an office or a bureau within the ministry to oversee Zakat Committees, yes.

Q Are these Zakat Committees that you are talking about the same as NGO's?

A No.

Q How would you distinguish them?

A NGO's receive a license from the state sometimes. They have to meet certain basic legal requirements, but they are coming totally from the society themselves. They overlap and compete with each other, and

09:51 they -- They are private organizations. Zakat Committees are different. If it's called a Zakat Committee, that means it's operating in a specific area. It has a license to operate within that area. It's officially recognized. Its mission is different, and the way its director is selected is different.

Q In terms of the historical background, prior to the Palestinian Authority under what law were these Zakat Committees governed?

A They were governed under Jordanian law.

Q And is that for the West Bank or Gaza or both?

A Only the West Bank. They have been governed by Egyptian law for Gaza.

Q And why is that, both of those situations?

09:52 A Certainly. With the end of the British mandate, the State of Israel was established in 1948. The West Bank and Gaza remained outside of the State of Israel. These were Palestinian-populated areas. The West Bank was annexed to Jordan; that is, Jordan regarded it as part of Jordan. Egypt administered but never annexed the Gaza Strip. They needed legal framework. So the Egyptians would use pre-existing law but supplement their own military orders and legal framework. Generally, they studied Egyptian law. The Jordanians would treat it as an integral part of Jordan. 1967, israel gets control of

09:53 both the West Bank and Gaza, and they recognize if they abolish all pre-existing law there would be complete chaos. So essentially what they say is that any law that existed in 1967, no matter what the source, is still in effect unless we repeal it and the same in Gaza and the same in the West Bank. I should say any subsequent law after 1967 until the creation of the Palestinian Authority had to be issued by the Israeli military governor for the area with the exception of the Jordanian Zakat Law of 1990. It was the one exception I found of a Jordanian law issued after 1967 that was treated as legally effective in the West Bank.

Q And what did that law cover?

A It basically covered how zakats would be run and
09:54 administered.

Q Where?

A In the West Bank.

Q And the Israeli governance of the West Bank and Gaza continued until when?

A Essentially until the creation of Palestinian Authority. Israel still does exercise some control in parts of the West Bank today, but in terms of lawmaking authority, that was passed over to the Palestinian Authority with its creation in 1994.

Q And when did it start to operate? When did the

09:54 Palestinian Authority begin to operate?

A 1994.

Q And do you know when?

A The summer. I don't remember precisely.

Q Are you familiar with the role and reputation of these Zakat Committees in Palestinian society?

A Yes.

Q And how are they regarded?

A They are regarded as one of the most reputable organizations, honest, having integrity, a sense of social and public purpose.

Q Have there been any studies in that regard?

A Yes. I mean there is an awful lot of polls in Palestinian society. I can remember one conducted
09:55 specifically by the Palestinian Studies Program at Palestinian University in which Palestinians were asked which institutions in Palestinian society do you trust the most. The first on the list, if I remember correctly, were Palestinian universities. The second was Zakat Committees.

Q And how are they regarded by people who are not religious Muslims?

A As authentic homegrown organizations as opposed to sometimes organizations that were set up because of foreign funding.

09:56
Q And why are they -- In your experience, why are they trusted and regarded -- trusted and legitimate organizations?
A Well, a couple of reasons. First, they have very low administrative expenses. They essentially take in money from donations and give it out. And that requires very little administrative overhead. For the most part, undertaking big ambitious projects with consultants and that sort of thing. And second, because they give to the poor and needy without regard to religion or sometimes political affiliation.
Q Why is that important in Palestinian society?
A Palestinian society is deeply divided along geographic lines, political lines, West Bank, Gaza, 09:57 Nablus. It's divided sometimes between family lines and tribal lines, and there very few institutions Palestinians have that stand outside or don't get sucked into those various divisions.
Q And are they regarded as having a partisan or political orientation, the Zakat Committees?
A No.
Q Are there reasons for that in your experience and your research?
A From what I can tell, they did precisely what they claimed to do, which was they take money in and give

09:57 it out without regard to political affiliation. I never heard any Palestinian claim any differently.

Q And what would be the impact if they did?

A I think it would seriously affect the reputation of the committee and perhaps make it cease being as viable an organization because they would be seen by Palestinian society as taking sides.

Q And in your research, did you find whether or not these Zakat Committees were identified with a particular political party?

A No. I found no mention of them in that context.

Q So would you consider them part of HAMAS?

A No.

Q Would you consider them part of the HAMAS social
09:58 network?

A No.

Q Would you consider them part of -- Withdrawn. Would you consider them to be controlled by HAMAS?

A No.

Q Or operating for the benefit of HAMAS?

A No.

Q And are those conclusions -- Those are opinions that you are stating as an expert?

A Yes.

Q Are they perceived in the Palestinian society as

09:58 being a part of HAMAS?

A I never heard any mention of Zakat Committees in the context -- from a Palestinian in the context of them being part of HAMAS.

Q Let's talk about funding issues. Can you tell us what impact the intifada had on the funding of Palestinian society?

A Well --

Q Withdrawn. Let me back up a little bit. I'm talking about the first intifada.

A That began in late 1987 and continued until the early 1990's.

Q And if you could tell us what impact that had. Just refresh the jury's recollection in one sentence what 09:59 the intifada represented, what it was.

A It was an uprising, a rebellion against Israeli rule in the West Bank and Gaza.

Q And so what was the impact of funding -- What was the impact of the intifada on funding in Palestine?

A Well, it put real stress on the system of charitable giving and support. The intifada was accompanied with a series of strikes on the Palestinian side, Israeli countermeasures that really had a seriously damaging effect on the Palestinian economy. At the same time --

10:00

Q What was some of the Israeli countermeasures?

A They would sometimes put restrictions on movement, probably be -- There would be Palestinians -- Sometimes a strike on paying taxes and the Israelis would move in and confiscate some property. So it was extremely disruptive.

Q And you were going on -- I'm sorry I interrupted, but you were talking about the impact of the intifada on sort of the economy or financial ability of the West Bank and Gaza.

A Yes, at the same time unrelated to intifada there was a crisis in general in support for Palestinian society and institutions. In 1990, Iraq invaded Kuwait, and the Palestinian Liberation Organization headed by

10:01

Yasser Arafat was viewed by the Kuwaitis and other Gulf States as having sided with Iraq against Kuwait. They had been major funders of the Palestinian organizations charities and so on. There was a very wealthy Palestinian community in Kuwait which was a major source of funds for West Bank and Gaza. Because of the standard of PLO, they were evicted. So instead of being a source, they themselves needed help. So it was a time of real retrenchment and depression in the Palestinian economy.

Q Did it increase needs for an alternative means of funding?

10:02 A Yes.

Q You are familiar with the Oslo Accords?

A Yes.

Q Did that have an impact on the funding of Palestinian society?

A Yes, immediately after the signing of the agreement between Israel and PLO, a donor conference was convened. Essentially the United States convinced its allies, other international institutions to begin a major assistance project for the West Bank and Gaza as a way of supporting these processes. This money tended to go to the Palestinian Authority -- directly, that is, to the government rather than to NGO's. There were a lot of NGO's that received funding during this period, but they 10:02 tended to be ones that were larger, more professionalized, could write the kind of grants proposals and meet the requirements and that sort of thing. So the smaller more grass roots NGO suffered as a result.

Q Now, with respect to the Zakat Committees, what is their traditional scope of what they do?

A They help the poor.

Q And what type of oversight does the Ministry of Waqf perform with respect to these committees?

A The ministry has the authority to appoint the director and also its regular -- I believe their annual

10:03 financial reports from the committee.

Q And do they license them as well?

A Yes.

Q And do they have authority to discipline them or act against them if they are not in compliance?

A Theoretically, they would. I know of no occasion where they exercise that authority, but theoretically they would.

Q How would you rate Zakat Committees in the context of Palestinian civil institutions in terms of transparency? First, let's define transparency, what it means in this context.

A Transparency would mean operating openly. Sharing your records, bylaws, conducting your procedures 10:04 out in the open. My sense was the Zakat Committees were fairly transparent by Palestinian standards, even by international standards. When I walked into the two committees in Jerusalem and Ramallah, the first thing they did was to share with me their financial statements. Other NGO's have to be a little careful about doing that. They are not sure who I am and what my motives are or what I'm using it for. There was a very different sense among the Zakat Committees that they want everything to be above board and open so they can't be accused of misusing funds.

Q Are there sometimes other ministries that are

10:05 involved with the oversight and the supervision of the Zakat Committees? Is there some overlap?

A There is overlap in terms of benefits. There is a Ministry of Social Affairs. There is also a Ministry of Prisoner Affairs. Ministry of Social Affairs is probably the biggest one that does some of the same work. They don't oversee the committees. They sometimes try to coordinate so that they are not paying benefits to the same family.

Q And if you could look in your binder at 1-271. You see the bottom right there are page numbers. Page 55 at the bottom right. Handwritten, about ten pages.

A Yes.

Q That's the English translation I have. And you

10:07 also have the Arabic, correct?

A Correct.

Q And that's already in evidence. That's a letter from the Palestinian National Authority Ministry of Social Affairs. Are you familiar with that ministry?

A Yes.

Q And do you know who -- I'm sorry. Who ran that ministry for a significant period of time?

A Yes, when I was doing my research I think in mostly the 1990's, the minister was the widow of one of Arafat's closest associates.

10:08 Q And that would be Yasser Arafat, the head -- the President of the Palestinian Authority?

A Yes.

Q Now, the relationship between the Zakat Committees and the Palestinian Authority, does that re-enforce your conclusion about whether or not --

MR. GARRETT: Objection. Leading.

THE COURT: Sustained.

BY MR. DRATEL:

Q You earlier stated that your opinion is that the Zakat Committees are not part of HAMAS or not perceived as part of HAMAS and what impact on your opinion -- Withdrawn. You testified earlier that the Zakat Committees are not in your opinion part of HAMAS or

10:09 perceived as part of HAMAS. What impact, if any, on that opinion is there of the relationship between the Zakat Committees and the Palestinian Authority?

A Well, the Palestinian Authority is legally overseeing these committees. It's coordinating with them. The Ministry of Social Affairs which was regarded, fairly or unfairly, as a fairly political ministry -- that is, as one who was closely associated with Fatah and steered benefits towards party members -- was still coordinating with them. So that would lead me to see Zakat Committees as willing easily to work with the Palestinian Authority

10:10 despite HAMAS's very tenuous relationship with the Palestinian Authority.

Q So what impact would that have on your opinion?

A It would mildly re-enforce it.

Q And you aren't relying on that obviously?

A No, it's a small piece of evidence. You never rely on one source. That's why I said mildly.

Q And as evidence, that's the kind of research you talked about previously?

A Yes.

Q Now, have you read the testimony of someone who testified under the name of Avi?

A Yes.

Q And you read his testimony in this case?

10:11 A Yes.

Q And how would you evaluate his approach and his evaluation with respect to the Zakat Committees?

A I think part of what he does is necessary to do and may be done well, but I think it's incomplete. What he talked about doing was gathering information from many different sources. I think that's absolutely critically important. He talked about using the press, using public reputation, tracing the appointments of important individuals. That's all important. He left out I think any prior political or social context and certainly any

10:12 comparative context. He seemed unfamiliar with broader research on similar kinds of phenomena in neighboring societies or even the category of Zakat Committees within Palestinian societies.

Q Do you think with respect to his historical knowledge -- How would you rate that?

A Based on his own description, it would seem to be limited, and I noticed at least one place where he referred to, for instance, the PA in 1990 or 1991, at a time when it didn't exist. So I thought he was very knowledgeable about the period, very recent period, but had never taken the time to study the issue in historical data.

Q And he testified that he was unfamiliar with the
10:13 1990 Jordanian Zakat Law?

A Yes, I saw that, and I was surprised because his background was in law, and one of the first questions -- certainly not the only question, but one of the first question -- that I would ask if I'm doing research on an organization and trying to determine its status is under what legal authority is it operating.

Q And the fact that he doesn't know Arabic, would you consider that a limitation?

A It's a limitation. He does know some Arabic.

MR. GARRETT: Your Honor, I object to

10:14 mischaracterizing the evidence. He does read some Arabic. I don't know that it's appropriate to use an expert in this context of going through the transcript of a previous expert and spend his time evaluating their opinion.

THE COURT: Overruled. You may answer.

A He does know some Arabic, and he tries to use it. It's clear that he can't go through large amounts of material in Arabic and is therefore relying on translation. I think he would do his job better and more effectively if he could go to the documents and select the documents himself.

BY MR. DRATEL:

Q Did you find inaccuracies with respect to some of his descriptions of people and organizations with

10:14 respect to their relationship with HAMAS?

A I saw things that I thought were wrong. There was the report he submitted that listed a variety of organizations as being associated with HAMAS including the Zakat Committees. There was one NGO that I knew better than the others called the El Barouk Center.

Q And that's not a Zakat Committee?

A No, it's not. It's a think tank that the Israelis closed down about a year ago. I had some familiarity with the organization because they did some work in education which was a particular interest to me.

10:15 So I visited them. I read through their materials, read through transcripts of their meetings and workshops and so on. And he seemed to characterize them as a HAMAS organization based on the activity of one person there, and on the basis of some officials that they had hosted, that they had hosted people from HAMAS, but that would be routine for any Palestinian think tank. My strong impression of the organization was it was definitely Islamist but independent and not controlled by HAMAS.

MR. GARRETT: I'm sorry. Did he give the name of the institution?

MR. DRATEL: The Barouk Center.

A Yes, B-a-r-a-q.

BY MR. DRATEL:

10:16 Q And where is that located?

A In Ramallah.

Q And you mentioned that Mr. Avi described it as controlled by HAMAS because they hosted some HAMAS speakers?

A That's correct.

Q And in your experience as a speaker, do you find that there are places -- that every place you speak at agrees with your prospective?

A Absolutely not.

Q Did you have experiences with respect to that

10:16 that come to mind?

A Oh, yes, in 1995 -- end of 1995, I was the U.S. -- the U.S. Consulate in Jerusalem arranged for me to give a talk in Hebron which was very clearly a polite but -- a polite audience but one that strongly disagreed with anything I had to say because of the fact that I was coming or sponsored by the American Consulate.

Q And in terms of use of media and the press, were there examples with respect to Mr. Avi's use of that that you would find wanting?

A Yes. Again, I think it's an important source to use, and he uses it, but my impression was sometimes that his lack of political-historical background would not allow him to approach it with the correct kind of critical

10:18 eye. For example, at one point or at several points in what is reported, he quotes an individual by the name of Khalid Al Qidra, who says some things about HAMAS. The particular person in general was a Palestinian general and had an extremely unsavory reputation as somebody who was essentially a party hack and who any time that somebody spoke up in criticism, especially of the president, would invent criminal charges. One very famous occasion, a prominent human rights activist was suddenly charged with selling drugs --

MR. GARRETT: Your Honor, I object to

10:19 nonresponsive.

THE COURT: Sustained.

BY MR. DRATEL:

Q You are talking about Mr. Al Qidra, the person who Avi relied on and his opinion.

A Yes.

Q Are there particular instances with respect to his activities as Attorney General of the PA that would lead you to find him unreliable?

A Yes.

Q And could you describe those?

A Yes. On one occasion he brought criminal charges for dealing drugs against a prominent human rights activist. The charges were dropped under international 10:19 outcry.

Q And what happened to Mr. Al Qidra ultimately?

A He was fired or under suspicion.

Q With respect to Mr. Avi's theories that he proposed, can you evaluate them generally in terms of sort of the purpose that he said of the HAMAS social wing?

A Yes. I was a little uncomfortable because it seemed to me that he set up a standard which would lead almost anything the Zakat Committees do to be seen as supporting HAMAS. For instance, if the Zakat Committees give to people who are associated --

10:20

MR. GARRETT: Your Honor, I'm sorry. I object to this as encroaching on the province of the jury in assessing the credibility of another expert. I think that's improper. If he wants to give his opinion about the subject matter of this case, that's appropriate, but when he starts getting into credibility, I think that's the province of the jury.

THE COURT: Overruled. You may answer.

A If a Zakat Committee targets members of HAMAS or their families or families of suicide bombers, that would be evidence that they are part of HAMAS. If they do not do so, if they give indiscriminately without regard to party affiliation, then they are enhancing the reputation of HAMAS. So no matter what they do, according to this

10:21

standard they are supporting HAMAS. It's almost a circular reasoning.

Q Kind of a "heads, I win; tails, you lose"?

A Yes.

Q And what do you think of such theories?

A I wouldn't provide it as an academic.

THE COURT: Mr. Dratel, let's take our morning recess at this time. Ladies and Gentlemen, we'll be in recess until 10:40.

(Recess)

THE COURT: Go ahead, Mr. Dratel.

10:43 MR. DRATEL: Thank you, your Honor.

BY MR. DRATEL:

Q Earlier you mentioned that you had spoken at an organization in Hebron in 1995. What was the name of that organization?

A The Hebron Graduate Society.

Q And earlier in your testimony, you had mentioned that you had consulted for some U.S. intelligence and defense agencies.

A Yes.

Q And are you paid for that work?

A Generally, yes.

Q And just before the break we were just discussing what I termed a "heads, I win; tails, you lose.

10:44 To clarify, that was Avi's opinion you were talking about, not yours?

A Yes.

Q I want to talk about another aspect of Mr. Avi's testimony in which he -- another part of his theses was that the purpose of the social service network of HAMAS is what he claims is its control of Zakat Committees designed so that HAMAS will get the credit and win the hearts and minds of the population. Did you read that in his testimony?

A Yes.

10:45 Q How do you evaluate that theory based upon your expertise and research?

MR. GARRETT: Your Honor, I object that he's not HAMAS expert or an expert on the social wing of HAMAS.

THE COURT: Overruled. You may answer.

A I think that there is probably something to it, but I also think it's probably a little bit exaggerated and frames the issues in slightly incorrect terms. HAMAS is an organization that sees itself, its task in bettering Palestinian society, in all sorts of ways. So the social work they do would be seen as being done to better, not just HAMAS, but Palestinian society. That would be how they perceive it.

In addition, the evidence that we have on 10:46 Islamic NGO's and charitable institutions more broadly suggests that its more of a loose dependency rather than a tightly controlled network by HAMAS. There are certainly zakats and NGO's that are controlled by HAMAS, but there is a whole wide spectrum of HAMAS institutions and NGO institutions -- some of them are political, some not political and not associated with HAMAS, and to view the entire sector as an HAMAS arm misunderstands what is going on in Palestinian society.

Q What would you say is going on in Palestinian society?

10:46 A A broad attempt to meet social needs in very difficult circumstances.

Q And with respect to the hearts and minds theory, did you find in your research and your expertise on Palestinian institutions and zakat committees in particular -- did you find evidence that HAMAS was getting credit for the work of the zakat committees?

A I never found anybody who saw the zakat committees that way, no.

Q And in terms of your review of Palestinian newspapers, what were your findings with respect to that notion that HAMAS gets the credit for these zakat committees?

A I never saw any evidence in Palestinian
10:47 Authority newspapers aligned with the government or even those that were aligned with the Islamist society.

Q And what is the impact of having persons on the board of directors of a particular zakat committee and their relationship with HAMAS, whether that means it's viewed as a HAMAS zakat committee?

It would not mean that for a couple of reasons. First, HAMAS at this point is a party with fairly broad popular support. They had something like forty-five percent of the vote in the last election. I don't remember the exact percentage. That means if you took ten

10:48 Palestinians at random, four and a half of them voted for HAMAS. So if you are talking about people who are pious and active in their committee, you would probably find a higher percentage of HAMAS supporters. By random chance, that's what you would get. The other thing is these committees, as I described them, are not administration-heavy organizations. They exist to collect money, get in and get out. They may have a few projects -- a hospital or a clinic or that sort of thing -- but for the most part, it's something that is a little bit automatic. Their job is to collect the money, certify the need for the needy family and give it out, and it's not an institution where a director would have an awful lot of latitude about determining what the
10:49 organization was doing.

Q So do you know the names of all of the members of the boards of directors of particular zakat committees?

A No.

Q Does that affect your opinion that they are not controlled by HAMAS?

A No.

Q Now, with regard to one of the people that Mr. Avi described as a HAMAS leader or activist, Adli Yaish, are you familiar with that name?

A The mayor of Nablus I think.

10:49

Q Did you know of him from your research and work?

A I never met him personally, but I know of him.

Q And is it your opinion he's an HAMAS activist or leader?

A Not to my knowledge. I do speak with people in Nablus about him because he was mayor, and he was elected on the HAMAS ticket, and he was described by everybody I met in Nablus as having been elected on the HAMAS ticket but not being a party member. He was elected on the list that HAMAS had supported.

Q And just to refresh, you were in Nablus as an election observer in January of 2006?

A That's right.

Q Was there a ticket called the HAMAS ticket?

10:50

A No, it was called Change and Reform.

Q And what was its relationship to HAMAS?

A It was a list -- HAMAS has no legal existence. So HAMAS never registered as a political party or organization. When they decided to run in the Legislative Council elections or earlier in the municipal elections, they did not do so under their own name, and instead what they did is they put together a ticket of their own members supplemented by people they thought would help their ticket and ran under the name Reform and Change.

Q Was everyone on that Reform and Change ticket a

10:51 HAMAS person?

A No.

Q Was Mr. Yaish a person among those in your opinion not with HAMAS on that ticket?

A Yes.

Q And you talked about the types of people HAMAS recruited for the Change and Reform ticket, not HAMAS.

A They tried to recruit anybody with a solid reputation for honesty and regardless of their politics. They were basing their campaign on competence and clean government. They were coming in with clean hands. Anybody with good local honesty would be an asset to their ticket, even if they weren't with HAMAS.

Q Did you meet people who were recruited?

10:52 A Yes.

Q And who were they?

A All across the spectrum. I met one person who was a leftist. He had been asked but refused. There were people that HAMAS supported who were certainly not Islamists. They were all over the place.

Q And what was the relationship -- By the way, when you talked about people with reputations in the community, would that include people who were on the board of directors of a zakat committee who had good reputations?

10:52 A Certainly. In a sense they are recruiting from the same population, people who are known locally and seen as honest.

Q What was the relationship in the context of the election campaign in January of 2006? The elections in January of 2006 in the West Bank and Gaza were for the Palestinian Legislative Council?

A Yes.

Q Is that the parliament for the PNA?

A Yes.

Q And what was the relationship in that election between HAMAS's charter and the platform of the Change and Reform ticket?

A The HAMAS charter was virtually invisible in the 10:53 campaign. HAMAS wanted to downplay it. I think some members of the organization were embarrassed by it, felt it was extreme. Others who still support it, the extreme supporters of the charter, thought this was not going to be a campaign run on anything having to do with Israel or the Israeli-Palestinian peace process. They did not want that to be an issue because their positions were out of sync with the Palestinian population. They wanted it to be an election on competence and honesty.

Q Did candidates have to endorse the HAMAS charter in order to run on the Change and Reform ticket?

10:54
A No, I met people who were told you don't have to run on our charter. Look at our platform. If you are comfortable with that -- and it was a fairly tame platform -- then you can run on our ticket.

Q The HAMAS charter itself, is it consistent with participation in those 2006 elections?

A It would certainly pull in a very different direction. The charter talks about essentially defeating Israel through warfare. It has to be defeated. The Legislative Council of the parlimentary elections held in 2006 were held for a parliament that had been created by the Oslo Accords. So to have participated in the election that was made possible by the Oslo Accords was viewed by some people as a way of coming to terms with the Oslo

10:55
Accords. HAMAS tried to resist that interpretation to some extent, but they were still recognizing that they were being caught into a process that they themselves had severe doubts about.

Q And after the election, what happened to the Change and Reform parliament members from the West Bank who had been elected to the Palestinian Legislative Council?

A Most of them were arrested by the Israelis.

Q On charges or administrative detention?

A Most of them in administrative detention. I

10:55 believe some of have had charges filed against them.

Q And what's the impact on the Palestinian Legislative Council?

A It cannot meet. It cannot muster a quorum essentially.

Q Now, during Mr. Avi's testimony, there was discussion where he described certain documents called the 6 series of the government's exhibits. Materials found at certain zakat committees, according to another witness. And he said that he was surprised to find them in a charity. Would you be surprised to find them at a charity in Palestine, that type of material?

A No. When I visited the zakat committees in 1999 or 2000, it was before the interruption of the intifada.

10:56 Q You mean the second?

A The second, yes. And I saw absolutely none of this material there. When the intifada began in September 2000, all of a sudden Palestinian society became awash in this material, and the first time I went back to Ramallah I was just struck that every blank wall was plastered with pictures of martyrs and political posters and that sort of thing. This is all over the place in Palestinian society.

Q Was the operation of Defensive Shield in the Spring of 2002 -- Just tell us what Operation Defensive Shield was again.

10:57 A Yes, certainly. There was some sentiment in Israeli public opinion and within the Israeli government that the intifada had to be met with a very sharp military response. In April of 2002, after a particularly bloody suicide bombing attack that took place on a Passover celebration, the Israeli government finally approved the attack. They basically went into all the major cities of the West Bank, and in a fairly intrusive campaign shut down or sometimes ransacked Palestinian institutions, civil society organizations, NGO's, government institutions. They sometimes even went door to door looking for suspects. It was an extremely intrusive campaign. In a couple of places, there was sharp resistance from Palestinians of various political stripes. 10:58 HAMAS, whatever. And it was a very bloody and particularly nasty period in the intifada.

Q You mentioned the operations that the Operation Defensive Shield attacked. Any particular example?

A Virtually everything. It took, for instance, the records of the school secondary examinations dating back to like 1950 from the Ministry of Education. They took records from charitable organizations. They took all kinds of government documents, hard drives, computers.

Q And that would be the Palestinian Security Service?

10:58 A Well, yes, they essentially shut the Palestinian Security Services down and took any information, files, that sort of thing that they could find.

Q And how about the president's compound?

A They surrounded it and basically continued surrounding it until Arafat's death and actually destroyed large parts of it.

Q And have you had a chance to review certain government exhibits -- if you could look in your binder. Government's Exhibit -- Start with 4-21.

A Okay.

Q It's in Arabic and English, and I can tell you this was a document that was photographed in December of 1993 in the United States from someone's home, from the

10:59 home of Mr. Ashqar. And if you look at -- Actually look at 3-7.

You see the descriptions of persons in there? That was seized from the home of Ismail El Barasse in the United States?

A Yes.

Q Just looking at that document -- And it describes zakat committees, correct?

A Yes.

Q Actually we can put it up on the government's computers. Actually I can do it on the Elmo. It might be

11:01 easier. Page 4, the first page of the translation. It talks about some zakat committees and their descriptions?

A Yes.

Q Given the information you have about that document, can you render an opinion as to what is meant by "all of it is ours"?

A No, I can't really.

Q I mean, what would you need? Is there a reason why you are uncomfortable rendering an opinion?

A Yes, in the first place it's not clear who the document is from. And in the second place it's not clear -- ours? Who is we? Does we include the person the letter is addressed to? Does it not? Who's we? I know nothing about the provenance of the document. Who's

11:02 writing it? Why they are writing it? I really don't know -- This is just random bits of information from a completely unknown source.

Q And with respect to other documents that discuss people -- And it's 2-22 in your binder.

A Yes.

Q And if you look there, it says Islamists slash brother and Islamists, and does Islamists there mean HAMAS in terms of your use of the term?

A I suspect not.

Q And the term "brother," does that have one

11:03 meaning, more than one meaning? How would you interpret that if you can, if you are comfortable?

A I can give several different meanings of it. Palestinians will sometimes use brother just as I said earlier, polite way to refer to a person. It doesn't look like it means it in that sense. It could mean a member of the Muslim Brotherhood. This is a document from the early 1990's when HAMAS was still sort of emerging. Its relationship with the Muslim Brotherhood wasn't clear. And people identify with the Muslim Brotherhood who were not HAMAS. It could mean that. It could mean somebody from HAMAS. It could mean anything, and given just this document without knowing who wrote it and why and how reliable the information is, I can't do anything with it.

11:04 Q And Number 10 in the previous section where it says Dr. Mohammed Farar, says a semi-brother?

A Yes.

Q Do you have any idea what that means?

A I guess. It says quasi-brother. It doesn't mean half brother in the biological sense.

MR. GARRETT: Your Honor, I object to him guessing.

BY MR. DRATEL:

Q Having looked at those documents, though, does that change your opinion as to whether or not the zakat

11:05 committees are part of HAMAS?

A No.

Q And whether they are perceived by the Palestinian society as part of HAMAS?

A No.

Q Did you have occasion to see videos that were played in court with respect to kindergarten ceremonies?

A I saw I believe two, yes.

Q Does that change your opinion?

A No.

Q And can you tell us why?

A Well, the sort of things that they showed -- I remember seeing one that was clearly identified with HAMAS and another one that had no clear identification with 11:06 HAMAS. But those sorts of things are broadcast in the Palestinian media, and they are not necessarily done by the party filming. I'm not quite sure what the significance of a single video or tape that I haven't been told the provenance.

Q How about the time that it was made?

A Certainly, if it was made during that very emotional period, May 2002, for instance, when this was a time that Palestinians society was awash in marshal sentiments. That was war time.

Q Are you familiar with the Palestinian Authority

11:07 curriculum?

A Yes.

Q And can you tell us something about the nature of the curriculum in the school systems?

A Yes, the Palestinian schools basically operated under the Egyptian and Jordanian curriculum after 1967. Israel censored certain materials. It allowed them to continue along the Egyptian and Jordanian lines. When the authority came in, it wanted its on curriculum. So it wrote what is a gradual process, only completed recently, but it wrote a curriculum for all grades, 1 through high school.

Q And was the previous curriculum criticized?

A Yes.

11:07 Q What was the criticism?

A The criticism was that it was inappropriate for a society that was trying to have a peace with Israeli -- There was all kinds of anti-Jewish and anti-Semitic things in it.

Q And where did that curriculum originate?

A Egypt.

Q And you have read the testimony of Dr. Levitt?

A Yes.

Q And you have read his book, HAMAS?

A Yes.

11:08

Q And as an academic, what is your opinion of his work in that book?

A It's not a real scholarly book. A real scholarly book would weigh research more, and he relies on the information of others and doesn't include evidence that would undermine his conclusions.

Q How would you evaluate his sources?

A His sources are mixed. He's clearly relying on English language sources or on those sources that have been translated. He also relies on sources that I think would be of uncertain reliability. He relies for instance on an awful lot of western press. It's fine to use that on occasion, but I think he relies a little bit too extensively on it. These are reporters who don't

11:09

necessarily have a deep knowledge of the local society. At one point, he even relies on the Wikipedia as a source for the meaning of a specific term, and as an academic I'm not comfortable with that.

Q Have you heard of the Center for Special Studies?

A Yes.

Q And he relies heavily on that?

A Very.

Q And could you tell us what the Center for Special Studies is?

11:10 A As I understand, it's an organization of retired Israeli intelligence officials and analysts, and they basically grew out of a body that was set up to memorialize Israeli intelligence people who had been killed in action so that they have sort of a public education arm. When the Israelis started seizing these documents, especially in 2002, they turned a lot of them over to this organization which then began translating some of them and issuing reports based on them.

Q And how would you characterize the translations?

A Uneven and sometimes inaccurate. I mean they would sometimes translate or imply that every mention of word "martyr" means suicide bombers when it was not, and there were problems like that with their work.

11:11 Q What was the reaction in Israel to the Center for Special Studies?

A As I understand, it has provoked some controversy because essentially what they are doing is issuing political reports, and the Israelis feel that they have to rely on a professional intelligence apparatus, and to be mixing politics and intelligence can lead to very bad results. You start making bad policy decisions.

Q And how would you rate it with respect to a source of Wikipedia?

A About the same. Wikipedia can be good, can be

11:12 bad, but you don't know where it came from. This is a little bit different. You know where it came from. It's basically trying to serve a specific political purpose, but I would not rely -- As an academic, I would not use either. I would never cite either as an authority.

Q And Dr. Levitt's book?

A He relies extensively on this Center for Special Studies.

Q I want to talk about the particular zakat committees that you visited. You went to the Ramallah Zakat Committee?

A That's right.

Q Do you remember when generally?

A It was the Spring of 2000. I believe it was

11:12 April.

Q And who did you meet with?

A I meet with the director. I don't remember the name. And there was somebody else who was there who I believe was on their board.

Q Did you see anything there that would lead you to believe that it was controlled by HAMAS?

A No.

Q Was there anything about your interview that led you to believe otherwise, that it was not controlled by HAMAS or a part of HAMAS?

11:13 A Well, there was certainly no HAMAS paraphernalia there, and one of the things I noticed when I first read this allegation that this committee was controlled by HAMAS is I recalled my interview with the director, and one thing that came back to my mind is that he had a moustache but no beard. There are Ied Islamists who have moustaches and no beard. I never met a HAMAS leader who did not have a beard. That doesn't mean that everybody who has a beard is a HAMAS leader, but again, I cannot remember a single HAMAS leader who does not have a beard.

Q And again, because someone has a beard does that make them HAMAS?

A No, there is an awful lot of beards.

Q And what is the beard? Does it have some
11:13 symbolism?

A It has some sort of a vague symbolism. I don't believe that most Muslims would believe that it would be required for men. And not everybody who has a beard does it to show piety. But it's kind of a mark of piety.

Q An uncovered woman, how would that be viewed?

A Palestinian society varies an awful lot about how women cover, and different regions of Palestinian society vary an awful lot. An uncovered woman, you would certainly meet pious Muslim women who were not covered, did not believe that it was a religious obligation, but I

11:14 would say if you are talking about the Islamists string, virtually all of them are covered.

Q If you look in your -- What did you see when you said that you didn't see anything that would relate to political orientation in terms of HAMAS? What did you see?

A I believe I saw a copy of the Dome of the Rock and a copy of their license or charter from the Palestinian Authority.

Q Go in your binder to Defendant's Exhibit 1207, please. Do you recognize that?

A Yes, yes.

Q And could you tell us what that is?

A That is the permit or the certificate from the
11:16 Palestinian -- Yes, the Ministry of Waqf and Religious Affairs for the committee.

Q And on the next page is an English translation, correct?

A Yes.

Q And it's dated December 30th, 1997?

A Yes.

Q And this is what you saw on the wall there?

A I certainly saw this document there. I think it's what I saw on the wall. But I definitely saw the certificate.

11:16 MR. DRATEL: I move it in evidence, your Honor.

MR. GARRETT: Your Honor, we would object as hearsay. He thinks this is what he saw in there. So I don't think the proper foundation has been laid for its admission. Secondly, is this one of the translations that you gave us last night?

MR. DRATEL: No, this is prior.

MR. GARRETT: Your Honor, there is still no proper authentication.

THE COURT: I will overrule the objection stated and admit into evidence Defendant's Exhibit 1207.

MR. DRATEL: Thank you, your Honor.

If I may publish the English translation, your Honor.

11:17 THE COURT: Yes, sir.

BY MR. DRATEL:

Q To give you a break, Dr. Brown, I will read it.

(Defendant's Exhibit 1207 read).

And is this the type of chartering and registration that you were discussing earlier in your testimony?

A Yes.

Q And referenced in the 1990 Jordanian Zakat Law?

A Yes.

Q And the Ministry of Endowment and Zakat Affairs, 11:19 what is that?

A The ministry in the Palestinian Authority that oversees the religious and zakat committees.

Q With respect to your interview of the director of the zakat committee, did he explain the difference between an endowment and a zakat committee?

A Yes, he explained they were different from an NGO.

Q Did he say how?

A He said that NGO's under the law have a general assembly, a specific membership.

MR. GARRETT: Your Honor, could I ask for identification of who he is speaking to?

THE COURT: Would you tell us who you were

11:20 speaking to?

A It was a director of a zakat committee. I don't have my notes so I don't remember the name.

BY MR. DRATEL:

Q And which Zakat Committee?

A Ramallah. The NGO's have members, and they elect a board. They didn't have elections. Most NGO's work with the ministry -- the relevant ministry, education, social affairs. This worked with the Ministry of Awquf.

Q Did he describe his relationship between the

11:21 Ramallah Zakat Committee and his own authority and the Ministry of Awquf?

A He was appointed.

Q Did you talk to him about the legal status of the Ramallah Zakat Committee?

A Yes, I was a little bit interested in the organization because it was an Islamic organization. It was trying to fulfill an Islamic legal obligation. And yet this law that we were talking about, this 1990 Jordanian law was a law that had been issued in Jordan.

MR. GARRETT: Your Honor, I would object to Dr. Brown just being a vehicle for hearsay. I don't disagree that he can use hearsay in formulating his opinion, but I don't think --

11:22 MR. DRATEL: I'll clarify, your Honor.

THE COURT: All right.

BY MR. DRATEL:

Q What you are talking about now, is that something he told you or from your research?

A No, this was --

Q In terms of the interest about Islamic institutions and Jordanian law.

A Yes, this is what I knew, and I was asking -- using it to ask him a question about his attitude toward Jordanian law.

11:22 Q Continue.

A So my question is if you are an Islamic organization that tries to fulfill an Islamic obligation but you are operated by a secular authority, is that a problem? He said, no, not at all. We want to have an Islamic spirit that guides what we do, but we have no problem at all dealing with secular law.

Q And if you could be a little more --

A Essentially a law passed by this authority, by parliament, in this case issued by a king.

Q Did he talk about the types of beneficiaries of the zakat committee aids?

A Yes.

Q And if you would tell us the scope.

11:23 A Essentially helping poor orphans, widows, the needy. He was insistent that they did not work on the basis of religious affiliations or even political affiliation.

Q Did you talk to him about the political affiliation of a zakat committee?

A I didn't raise the subject. What I asked about was the relationship with the Palestinian Authority. He in answer to my question sort of talked about their relations being basically fairly good with the relevant Palestinian Authority bodies and then sort of wandered off

11:24 into an answer of politics in which he said essentially whatever politics you have outside of this committee you leave at the door.

MR. GARRETT: Excuse me. Again, I would object to a recitation of what was said, and we would ask that he be limited to his opinion.

THE COURT: Sustained.

BY MR. DRATEL:

Q Did his answer form your opinion about the political nature or apolitical nature of zakat committees?

A Yes. Mildly, I didn't consider it definitive, but I considered it a piece of evidence, yes.

Q And what was that?

A He did not give it any political affiliation,

11:24 and he took the initiative to do so.

Q And did he talk about political affiliation outside?

A That outside you have to leave off. You can't do political work as a zakat committee activist.

Q And you visited the Jerusalem Zakat Committee?

A Yes.

Q And who did you visit there?

A They have several branches. Five, six, seven. And I interviewed one of the directors of one of the branches and someone else who was active in that

11:25 committee.

Q And did you talk to that person about the relationship with the Government of Israel?

MR. GARRETT: I object, your Honor. This is not in the indictment, and I don't believe there was any testimony about the Jerusalem Zakat Committee.

THE COURT: What is the relevance?

MR. DRATEL: The relevance is that it forms his opinion about zakat committees generally.

THE COURT: Let's not spend much time, but I will overrule the objection.

BY MR. DRATEL:

Q Did he talk about his relationship with the Government of Israel?

11:25 A He said the Government of Israel came by regularly to look at his books and ask questions about how they were operating and who they were assisting.

Q Now, with respect to your work and your opinions with respect to zakat committees, did you rely on certain documents?

A Yes.

Q Let's say registration certificates be one of the documents you would rely on?

A That would be relevant information, yes.

Q Turn to 1205, Defendant's Exhibit 1205, please.

11:26 Do you recognize that document?

A Yes. It's another certificate.

Q For which committee?

A Looks like Nablus.

Q And that's the type of document that you would rely on in forming your expertise and your opinions?

A Yes.

MR. DRATEL: I move that in evidence, your Honor.

MR. GARRETT: Your Honor, again, I object. He hasn't seen this. I don't think that's the proper foundation for it. He can certainly use it as his opinion, but I don't think it's proper foundation for admission in evidence.

11:27 MR. DRATEL: Under Rule 403.

THE COURT: Overruled. Defendant's Exhibit 1205 is admitted.

BY MR. DRATEL:

Q This is one where the translation has not yet been agreed upon because the government's translator -- I don't know if he has seen it yet. But if you could read generally the Arabic and the date. Is it similar to the previous one?

A Yes, I have to look to make sure it's word for word.

11:27

Q No?

A Okay. But yes, the same thing, establishes them under the 1990 law and that sort of thing.

Q And what's the date of the certificate?

A December of 1997.

Q And 1204, please.

A Yes.

Q And have you reviewed this document as well?

A Yes.

Q And is this a document that you relied on in forming your opinion and in rendering an opinion?

A Yes.

Q And what is this document?

A The same thing. It's for the north West Bank

11:28

town of Qalqilla.

MR. DRATEL: I move that in evidence as well, your Honor.

MR. GARRETT: Same objection, your Honor. In addition, as Mr. Dratel stated, these translations were given to us last night. We haven't had a chance to have them checked. I think they are being checked by our translator. So we object on that basis.

THE COURT: Overrule the objection stated and admit into evidence Defendant's Exhibit 1204.

BY MR. DRATEL:

11:29

Q Would you tell us the date on that certificate?

A December 30th, 1997.

Q And is it the same type of certificate?

A Yes.

Q And that logo in the middle, the eagle, what is that?

A It's the emblem of the Palestine Authority.

Q What does it say underneath?

A Palestine.

Q Going back to 1207 for one second. I'll just show you the original Arabic version. Is that the same logo?

A Yes.

Q And 1205, I'll show you again, the original

11:30

Arabic. Same?

A Yes.

Q If you go to Defendant's Exhibit 1065, please.

A Okay.

Q Have you reviewed that document as well?

A Yes.

Q And that's a two-page document and then one page of translation?

A Yes.

Q And is that also -- These documents would be those that you would rely on in forming and rendering your

11:31 opinion?

A Yes.

MR. DRATEL: I move Defendant's Exhibit 1065 in evidence, your Honor.

MR. GARRETT: Same objections, your Honor. No foundation, don't know where it came from.

BY MR. DRATEL:

Q Is it another certificate?

A Yes, it's for Tulkarem.

Q Is it also a letter from the Palestinian National Authority?

A Yes.

Q To the Tulkarem Committee?

A Yes.

11:31 THE COURT: I will overrule the objection stated and admit into evidence Defendant's Exhibit 1065.

MR. DRATEL: Thank you, your Honor.

BY MR. DRATEL:

Q This is Page 1, and I will read it. The date is 24-10-98. What date would that be in terms of the order of those numbers?

A I think that would be October 24th, 1998.

Q Is it customary in other societies, including the Middle East, to put the date first before the month?

A Yes.

11:32

Q (Defendant's Exhibit 1065 read).

It's from the Palestinian National Authority Minister of Finance. Is that value added tax -- is that something the Palestinian Authority added?

A No, it was an Israeli tax.

Q And why did it still exist in 1998?

A Because the West Bank, Israel and Gaza were treated as one economic unit, and so they had to have taxes set at a single rate, and as part of the agreement in the Oslo Accords, the Palestinians agreed that you would have a single set of taxes that would be collected usually by the Israelis because anything destined through a Palestinian market has to pass through an Israeli point of entry. So the Israelis would collect a value-added 11:33 tax, and if it was destined for a Palestinian market, they would hand those taxes over to the Palestinian Authority. So it was the Palestinian Authority's chief source of revenue.

Q And the second page of the exhibit?

A The same kind of certificate.

Q And do you have a date on that?

A It's not as clear. It looks like December 30th, 1997.

Q Go to Defendant's Exhibit 1109. Look at the last two pages of that document. Do you recognize the

11:35 Arabic document?

A Yes, it's the same sort of certificate.

Q And where is that for?

A Jenin.

Q And is that the kind of document that you would rely on and you do rely on in forming your opinion and doing your research or rendering your opinion?

A Yes.

MR. DRATEL: I move it in evidence, your Honor, this page of 1109.

MR. GARRETT: Same objections, your Honor.

THE COURT: Overrule the objection and admit into evidence Defendant's Exhibit 1109.

BY MR. DRATEL:

11:35 Q If you could tell us what that is, Dr. Brown.

A The same sort of licensing and certificate for the Jenin Committee.

Q And the date?

A December 30th, 1997.

Q Is there a reason why these are dated December of 1997?

A The Palestinian Authority when it set up -- when it was set up didn't take administrative control over everything at once, and so it was around that time that the Ministry of Awquf began to become more active with the

11:36 committees, and I suspect that it just issued all the certificates at once.

Q If you could look now at Defendant's Exhibit 1070 which is already in evidence and if you look at the three pages of it, the last page, what language is that in?

A Hebrew.

Q And the page before that?

A Arabic.

Q And the next page?

A English.

Q I'll put the English on the Elmo and. Can you read it?

A I can read it, yes.

11:37 Q You see where it says the Civil Administration of Judea and Sumaria?

A Yes.

Q Is that something from the Palestinian Authority?

A No.

Q And where would that be from?

A Israel.

Q And if you look at the date of the letter?

A Yes.

Q November 24th, 1993?

11:38

A Yes.

Q Who was governing Jenin at the time?

A Israel.

Q And it says Medical Services, Department of the Medical Services Office. Would that also be an Israeli agency?

A Yes, part of Civil Administration, yes.

Q Look at the bottom. There are cc's at the bottom?

A Yes.

Q The Chief of Civil Administration, would who would that be?

A That's an Israeli official.

Q The administrative governor of Jenin?

11:39

A Israeli official.

Q Even though this is after the -- This is after the Oslo Accords have been signed?

A Yes, but before the Palestinian Authority -- Well, the Oslo Accords were a series. It was after the first one was signed but before the Palestinian Authority began operating.

Q And you said it began operating sometime in the Summer of 1994?

A Yes.

Q And this is not -- Is this something that's

11:40 commonly known in terms of people who know about the area?

A Yes.

Q If you could turn to 1206, please. It's three documents on one page.

A Yes.

Q And if you look at the second one.

A Yes.

Q And is that -- Do you recognize that as another certificate?

A Yes, it's different from the others, but yes.

Q And is that something you would use and rely on in your research and opinions?

A Yes.

MR. DRATEL: I move it in evidence, your Honor.

11:41 MR. GARRETT: Same objection.

THE COURT: Overruled. Defendant's Exhibit 1206 is admitted.

BY MR. DRATEL:

Q Look at the one in the middle. Tell us what that registration is.

A That's a registration for an Islamic charity in Hebron with the Ministry of Culture and Education.

Q And under what law was it constituted?

A Under the Ottoman law going back to 1909. This is an NGO since it's under a different law.

11:42

Q Could you tell briefly why it says Ottoman law?

A Certainly. The Ottomans would have controlled this territory and governed it under their law until World War I when the British took over.

Q The one on the bottom, if you could tell us what that is. I'm sorry. Did we do the date on the middle one?

A The middle one is August something 20th, 1997.

Q And the last one, the bottom one?

A Yes. Another registration certificate. This time from the Ministry of Social Affairs 1997.

Q And what law does it reference?

A It looks like the 1996 law.

Q 1996?

11:42

A 1966 law, Jordanian law. No, I'm sorry. Yes, the 1966 Jordanian law, yes.

Q Now, have you met anyone from the Nablus Zakat Committee, one of the directors?

A Yes.

Q And who would that be?

A Al Masri.

Q And how would you describe his politics from what you know from him and others?

A He was a member of the Legislative Council of 1966 as an independent.

11:44

Q 19 --

A 1996 as an independent. And quickly became one of the loudest opponents of the government. He continued to be independent. For the 2006 elections, he ran with the backing of HAMAS, but he was not a HAMAS member. He was basically I would say just whatever the government was doing, he was against it.

Q And would you consider him an Islamist?

A No.

Q Now, these documents that we put in evidence, the certificates for the zakat committees, how do they affect your conclusion that the zakat committees are not controlled by HAMAS or part of HAMAS?

A Well, they tend to support it. No single source

11:45

is definitive, but what they show to me is that these were operating under a legal status that made them semi-official organizations licensed by a Palestinian Authority and received by it.

Q Are you familiar with the lists -- the designation lists that the U.S. government puts out for terrorist organizations and persons?

A Yes.

Q And is the relationship between U.S. aid organizations -- Is that part -- One of the items that you would consider part -- as part of your -- forming your

11:46 opinion and doing your research?

A It would inform me, yes.

Q And what is your experience -- Withdrawn. You have been a consultant for USAID, correct?

MR. GARRETT: Objection. Leading.

THE COURT: Sustained.

BY MR. DRATEL:

Q Have you done any work for USAID?

A I have done some field work and made contact.

Q During the time you were in Israel in 2000, what were the nature of those contacts and what way did it form your opinion with respect to sort of the notion of what's part of HAMAS, what's not and how it relates to these lists?

11:47 A I mean, I would have formal and informal contact with officials of USAID and with contractors who were working on USAID and who were closely monitored. And when the subject of NGO's came up, it was very clear that they were worried about any overly close associations. There would be NGO's that they would stay away from because it was suspected they had close relations with HAMAS. I never heard that with the zakat committees, as places to stay away from.

Q Were there instances in which USAID did become involved with institutions that had representations as

11:47 being affiliated or close to HAMAS?

A Oh, yes. Reputations are a strange thing because HAMAS -- The example I will give is the Islamic University in Gaza, something that was founded before HAMAS. It had the reputation of being a place -- a HAMAS-friendly institution, not directly run by HAMAS but a place where the bulk of the students would be HAMAS supporters. A lot of faculty were HAMAS supporters. If HAMAS needed technical expertise, this would often be a place they would go. So it's sort of a HAMAS-friendly institution, and I ran into USAID officials who would refer to it informally as HAMAS U. Because the Islamic university was formerly independent, they felt a little uncomfortable about it, but they would continue to deal

11:48 with the organization.

Q And why did they deal with the organization?

A Because it's not a HAMAS organization. It's a place where HAMAS has a stronghold but not a HAMAS organization.

Q Was it a banned organization by the US?

A No.

Q Now, with respect to the authority of the Palestinian Authority with respect to these zakat committees, did they possess legal tools to act against zakat committees?

11:49 A They could change the director if they wanted, yes.

Q Would they do more than that?

A They could change the entire board of directors.

Q Could they close down the institution?

A Refuse to certify it, yes.

Q And did that apply to other organizations as well, in addition to zakat committees?

A It's much less clear they could do this with many NGO's. The NGO law hasn't really been tested as to how much the government can use it, how easily it could refuse licensing to an NGO, but the zakat committee has no specific claim on a certification.

Q Has there been recent activity by the 11:50 Palestinian Authority that's affected -- or not affected. But helps to form your opinion with respect to whether zakat committees are part of HAMAS?

A Yes, very recently the Palestinian Authority operating in the West Bank shut down like a hundred some NGO's. They did so on the basis of a decree ordering them shut down. It's not clear to me whether it's legal or not, but they have done it, but it's part of the HAMAS-Fatah civil war. So when this happened in June and Fatah wound up in control of the West Bank, they started moving very aggressively against any institution

11:51 associated with HAMAS and a Palestinian newspaper printed a list of all of those organizations that were being shut down, and not a single zakat committee was on the list.

Q Not a single one?

A Not a single one.

Q And how long ago was that?

A Two weeks ago. I don't remember the precise date.

Q And among the organizations that were shut down, there were organizations in Nablus?

A Yes.

Q But not the Nablus Zakat Committee?

A No.

Q Organizations in Jenin?

11:51 A Yes.

Q But not the Jenin Zakat Committee?

A Correct.

Q Ramallah, there were other organizations in Ramallah?

A Yes.

Q But not the Ramallah Zakat Committee?

A Correct.

Q Tulkarem, the same?

A I don't remember specifically Tulkarem but certainly not the Tulkarem Zakat Committee.

11:52
Q Are you familiar with the Palestinian Red Crescent Society?
A Yes.
Q Tell us what that is.
A It's essentially the Palestinian branch of the Red Cross. They use a crescent instead of the cross because of the difference in religion, but it's essentially the same organization.
Q Is it a HAMAS organization?
A No, it is one -- One part of it was headed by Yasser Arafat. In Gaza, it was run by a leftist who was seen as a strong opponent of HAMAS.
Q Go to Government's Exhibit 1-271 in your binder. There are page numbers on the bottom right-hand corner.
11:53
A Yes.
Q The first one I would refer you to is Page 25. That's the Arabic. Page 26 is the English.
MR. DRATEL: This is already in evidence, your Honor. This is part of Government's Exhibit 1-271.
BY MR. DRATEL:
Q It's a letter from the President of Lebanon?
A Yes.
Q Is he a HAMAS person?
A No, he's Christian.
Q And if you could go to Page 115. Do you see

11:54 that one?

A Yes.

Q And that's from the Palestinian Liberation Organization, Palestine National Authority, Office of the President, the President's Advisor of Tribal Affairs. Would that be an HAMAS organization?

A No, not at all.

Q And Palestine Liberation Organization, what party is that affiliated with?

A The Palestine Liberation Organization technically represents all Palestinians throughout the world. HAMAS is not a member of the PLO, and the PLO is dominated by Fatah.

Q Look at Page 143 which I think is the next one.

11:55 That's from the Jordanian Hashemite Fund for Human Development?

A Yes.

Q Is that a HAMAS organization?

A It's a Jordanian organization. No.

Q And what's the significance of the term "Hashemite"?

A It's the Jordanian royal family. The head of it is a princess, I guess.

Q Go back to Exhibit 53. Do you see that one?

A Yes.

11:56 Q And that is from the Ministry of Planning and International Cooperation, correct?
A Yes.
Q Not from a zakat committee with the logo on it?
A That's right. It's a similar logo.
Q It's from the ministry itself?
A Yes.
Q And go to the next one. That would be in the Ministry of Social Affairs?
A Yes.
Q Again from the ministry, not the zakat committee, with the logo?
A Correct.
Q And go to the next, the Ministry of Industry.
11:57 A Yes.
Q Same from the actual ministry?
A Yes.
Q Now, in the context of the opinions that were rendered by Dr. Levitt and Mr. Avi with respect to persons on zakat committees, on the board or otherwise affiliated, would the fact that someone was detained or imprisoned by the Government of Israel during the relevant time period -- let's say mid 80's to now -- would that mean that someone is a HAMAS member?
A Oh, gosh, not at all.